

## GOVERNMENT OF ANDHRA PRADESH

### ABSTRACT

Social Welfare - Mahabubnagar District – Boravelly (V), Manopad(M) – Land Acquired to an extent of Acs.2.56 Cts in Sy.No.3, for providing house sites to the Weaker Section People – Sanction of Rs.10,62,613/- towards balance decretal charges, as per orders dated 16.6.2011 of the Hon'ble High Court in CC.No.98/2011 in WPMP.No.38561/2010, in W.P. No30278/2010 in OP.No.49/2008 – Orders - Issued.

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### SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 862

Dated: 24.10.2011

Read the following:-

1. From the District Collector, Mahabubnagar Lr.Rc.No.G2/6/2010, dated 19.02.2010.
2. From the Commissioner of Social Welfare, A.P., Hyderabad, Lr.No.LA2/7539/2009, dated 30.8.2010.
3. From the CCLA, A.P., Hyderabad Lr.No.G1/1644/2010, dated 12.7.2011.

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### ORDER:

In the reference 3<sup>rd</sup> read above, the Chief Commissioner of Land Administration, A.P., Hyderabad has stated that the LAO/Tahsildar, Alampur has acquired land to an extent of Ac.2.56 Cts in Sy.No.3 situated at Boravelly Village, Manopad Mandal, and passed Award Procs.NO.A7/5213/83, dated 30.3.1984, duly fixing the market value @ Rs.2,500/- per acre, for providing house sites to the weaker section people. Aggrieved by the decision of LAO the land holder filed a petition U/S 18 of LA Act and the matter was referred to Court of Sr. Civil Judge, Gadwal. Keeping in view the direction of Hon'ble High Court of AP in WP.No.25911/2005 dated 01.7.2008, a reference was registered as OP.No.49/2008 in the said Court. The Sr. Civil Judge, Gadwal delivered judgment in OP.No.49/2008 on 24.6.2009 by fixing the market value of area covered by acquisition as Rs.16.80 per Sq. Meter. Further the Court observed that the claimant is entitled to all statutory benefits on the enhanced compensation including additional market value. The Government Pleader of Hon'ble High Court has stated that the findings recorded by the Hon'ble High Court are based upon evidence on record. There are no valid grounds to disagree with the findings recorded by Sr. Civil Judge, Gadwal and opined that it is not a fit case to prefer further appeal to Hon'ble High Court of A.P. The District Collector, Mahabubnagar has requested to sanction an amount of Rs.10,62,613/- towards payment of balance decretal charges in OP.No.49/2008 for the land acquired to an extent of Ac.2.56 Cts in Sy.No.3 situated at Boravelly Village Manopad Mandal of Mahabubnagar District for providing house sites to the weaker section people. The Commissioner of Social Welfare, A.P., Hyderabad has informed that the Petitioner has filed Contempt Case No.98/2011 for non compliance of Hon'ble High Court orders dated 03.12.2010 in WPMP No.38561/2010 in WP.No.30278/2010 which was filed to deposit the entire decretal charges to the credit of EP.No.84/2009 in OP.No.49/08 on the file of the Sr. Civil Judge's Court, Gadwal, pending disposal of the main W.P and it is came up for hearing on 16.6.2011. The Hon'ble High Court has given directions to deposit the decretal charges Rs.10.42.613/- within (4) weeks from the date of judgment.

2. The Chief Commissioner of Land Administration, A.P., Hyderabad., after scrutiny of the proposal along with the calculation sheet furnished by the District Collector, Mahabubangar, has forwarded the comparative calculation sheet to the Government for sanction of Rs.10,62,613/- towards payment of balance decretal charges in OP.No.49/2008 for the land acquired to an extent of Ac.2.56 Cts in Sy.No.3 situated at Boravelly Village Manopad Mandal of Mahabubnagar District for providing house sites to the Weaker Section people.

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3. After careful examination of the matter, Government hereby accord sanction to the Commissioner of Social Welfare, A.P., Hyderabad to release an amount of Rs.10,62,613/- (Rupees Ten Lakhs Sixty Two Thousand Six Hundred and Thirteen only) to the District Collector, Mahabubnagar, towards payment of balance decretal charges as per the orders of dated 16.6.2011 of the Hon'ble High Court in CC.No.98/2011 in WPMP.No.38561/2010, in W.P. No30278/2010 in OP.No.49/2008 as reported by the District Collector, Mahabubnagar/Commissioner of Social Welfare, A.P., Hyderabad in respect of the land acquired to an extent of Ac.2.56 Cts in Sy.No.3 situated at Boravelly Village Manopad Mandal of Mahabubnagar District for providing house sites to the Weaker Section people.

4. The amount of expenditure sanctioned in para (3) above shall be met within the BE.2011-12 and debited to the following Head of Account.

**“2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grants – in – Aid”.**

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary proceedings to the District Collector, Mahabubnagar accordingly.

6. The District Collector, Mahabubnagar shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide in U.O Note No.12869/196/A1/Esp.SW/2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**J. RAYMOND PETER  
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Chief Commissioner of Land Administration, A.P., Hyderabad.

The Commissioner of Social Welfare, A.P., Hyderabad,

The District Collector, Mahabubnagar.

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,

The Accountant General, A.P., Hyderabad,

The District Treasury Officer, Mahabubnagar District.

Finance (Exp.SW/BG) Department

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER